

SOUTH DELTA WATER AGENCY

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COMMENTS FOR JULY 13, 1994, SWRCB WORKSHOP

The South Delta Water Agency recognizes that the Board is only considering additional objectives in its Water Quality Control Plan at this point and that if new objectives are established, the method of implementing those will be addressed in subsequent proceedings. However, Issue 3 as noticed concerning the interim obligations of the State and Federal projects prior to full implementation leads necessarily to a discussion of the relationship and priorities among those projects and other water right holders in regard to meeting the objectives.

In regard to implementation, the Board must keep in mind and recognize the unique obligations as well as the unique impacts of the State and Federal projects. These include the legal obligations imposed upon them by the Delta Protection Act and the Watershed Protection Statutes and the unique impacts including massive Delta diversions and the importation of about 1,000,000 tons of salt a year by the CVP into the San Joaquin watershed when full contract deliveries are made. These also include the unique salinity control obligations imposed upon the CVP under federal statutes.

Once the Board has insured that the State and Federal projects are meeting all their statutory obligations and their water right obligations to holders of senior water rights, the Board should review other diverters' impacts in accordance with water right priorities under long-established law rather than establish a blanket regulation based upon size of diversion as has been suggested by some parties. An exception to proceeding strictly by priority, however, which we have suggested, would be to impose flow requirements on each tributary to protect as well the health of that tributary without regard to priority vis-a-vis diverters on other tributaries. Although we will discuss this in detail when the Board reaches the point of a water right hearing, we would consider the concept of mitigation of specific diversions through a water bank to provide a substitute supply, providing the substitute supply is of equal quality and made available at the

same times and locations that are adversely affected by the diversion. Only in this way would prior rights to natural flows and quality be protected.

In terms of implementation, we would also repeat our concern from the April workshop, that the Board should first begin by implementing the southern Delta objectives from the 1991 Plan which have not yet been implemented and were to commence by 1994.

We would emphasize that the Board will need to address inflow of the San Joaquin to the Delta in order to adequately implement objectives. We have learned through experience that it is impossible to maintain a healthy estuary and fully protect water rights by merely setting quality objectives at a few locations. These are insufficient without adequate inflow to maintain circulation and thereby provide quality and benefits throughout the Estuary. In spite of this necessity, we would support the comments of the Board staff to EPA that upstream drainage control be undertaken to address any San Joaquin salinity objectives for striped bass. We know that the salinity problem derives largely from the CVP westside service area and we have recommended and support a proposal laid out in the Agency's Johnston/Orlob report for control of the timing of entry of this drainage to the River to coincide with available flows and water quality needs.

In addition, both flow and quality problems would be improved by completion of the four barriers in the SDWA/DWR/USBR south Delta barrier program and the Board should support and encourage completion of this program.

In summary, measures are needed both to enhance San Joaquin River flow and to control the entry of salt load to the River to coincide with River flows which can provide dilution but which are not released for that purpose.

Potential measures should include the following:

1. Implement and enforce the SWRCB's 1991 objectives for Vernalis and Brandt Bridge water quality standards.
2. Enforce the requirement that junior upstream diverters in the Merced, Tuolumne, and Stanislaus watersheds must bypass unimpaired flow when the Vernalis flow otherwise falls below what is needed to meet senior water rights in the South Delta on a monthly basis.
3. Install all four of the proposed South Delta Barriers. When the South Delta barriers are operating, they maintain unidirectional daily flow in each South Delta channel. The USBR can therefore supply its upper San Joaquin River obligation to meet senior downstream rights by substituting releases from Sacramento reservoirs

without causing stagnant channel reaches. Furthermore, the barriers will substantially reduce the recycling of salt load from the CVP service area, to the River, thence to the federal pumps, and thence back down the DMC to the CVP service area.

4. In the long term, Friant Dam can be raised to increase yield. This yield could be used to restore stream flow continuity to Mendota Pool, and to provide dilution for the salts entering the River via drainage from the CVP Exchange Contractors. This would also enhance fish flows and reduce the dilution burden on New Melones.
5. Half or more of the annual burden on New Melones for water dilution to meet the existing Vernalis quality standard typically occurs during March and April. This need can be substantially reduced by using holding ponds to retain for a few weeks the salty spring drainage off the Grasslands area and the agricultural "tile" drainage that is mobilized by preirrigation during this period. The ponds could then be drained to the River to coincide with the fish flows that now provide more dilution than is needed in late April and May.
6. The agricultural "tile" drains in the drainage area of Salt and Mud Sloughs could be rearranged per the Johnston/Orlob report to retain summer agricultural drainage subsurface for release during fall fish flows and wet weather River flows. This would be expensive, but either it or some other measure will be necessary to help meet the proposed environmental objectives and to protect the water quality needs of water right diverters along the main stem of the River. The portion of the drainage water that enters the River by subsurface accretion can probably not be controlled. The USBR has levied a surcharge on water delivery to the San Luis unit contractors to pay for a drainage facility. Funds from that source should be made available for this purpose.
7. The above measures can protect downstream needs, but a valley drain must also be built regardless of the cost. California can not go on feeding the State and providing 25% of the Nation's table food if we continue to salinize the valley's soils and groundwaters, and continue to overdraft its groundwater. The State must develop a plan for feeding the next twenty million Californians. It cannot afford to lose a large portion of the State's ability to grow food at the same time that its population is rapidly increasing.

The State also cannot afford continued procrastination in addressing these issues. We urge that the State and Regional

Boards establish and enforce an achievable schedule for accomplishing the above measures. The State Board can implement standards on a staged schedule that would permit the above measures to be implemented, and can also adopt upstream water right orders which would necessitate early adoption of such measures as items 2 and 5 above.